THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.1188 OF 2007

DATED: 09-04-2007

BETWEEN

D. Prabhakar, S/o. Late Surya Rao,
Occ: Agriculture, R/o. Chintaltana Village,
Siricilla Mandal, Karimnagar District.

...PETITIONER

AND

The Director General of Police,
Government of A.P., Lakdikapul,
Hyderabad and another.

...RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the respondents in not giving police protection to him in respect of his representations dated 15.11.2006 and 06.01.2007 as illegal and arbitrary.

2. Petitioner submits that on a complaint lodged by him a case in Cr.No.431 of 2006 was registered on 09.11.2006 by the Siricilla Police Station under Sections 147, 452, 325, 341 and 506 of the Indian Penal Code, 1860 against the specified suspects/accused. He further submits that the police is not properly investigating the matter as only
8 persons have been arrested though 60 persons attacked him and
he identified 10 persons and later he gave the list of 20 persons.

3. I am not inclined to express any opinion with regard to the genuineness or otherwise of the said complaint and the truthfulness of the second list furnished by the petitioner with regard to the involvement of 20

other persons in the said crime. The grievance of the petitioner is that he apprehends threat to his personal life in the hands of the accused, as such, needs police protection at his expense; but the respondents have not considered the aforesaid representations submitted by him for providing police protection.

4. I am not inclined to express any opinion on the merits of the case, but whenever a complaint is lodged and if there is threat to the life of the complainant from the accused or other persons, it is the duty of the police to take appropriate action to protect the personal life of the complainant.

Having regard to the facts and circumstances of the case,
the writ petition is disposed of directing the second respondent to take appropriate action, as and when the petitioner approaches him with specific representation seeking police protection, in accordance with law. There shall be no order as to costs.

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V. ESWARAIAH, J

April 9, 2007
DSK